



PHYSICAL THERAPY BOARD OF CALIFORNIA
CONSUMER PROTECTION SERVICES
1418 HOWE AVENUE, SUITE 16, SACRAMENTO, CA 95825-3204
TELEPHONE (916) 561-8200 FAX (916) 263-2560 TOLL FREE 1-800-832-2251
INTERNET <http://www.ptb.ca.gov>
EMAIL cps@dca.ca.gov



May 15, 2007

Citation No. 06-07-0217

Rodney Heschong, PT
619 E. Blithedale Ave.
Mill Valley, CA 94941

CITATION

Investigation of a complaint submitted revealed actions taken by you which violate sections of the law regulating the practice of physical therapy.

A Citation is hereby issued to you in accordance with Section 125.9 of the Business and Professions Code for the violations described below.

FIRST CAUSE FOR CITATION

1. Business and Professions Code Section Section 2660 (j)(k))

The aiding or abetting of any person to violate this chapter or any regulations duly adopted under this chapter.

The September 28, 2006 investigation, conducted by the Department of Investigation, revealed you allowed Emone Hughes to practice under Physical Therapist Assistant License Applicant status, when in fact Mr. Hughes' Physical Therapist Assistant License Applicant status had been withdrawn on May 28, 2006, since he had not successfully passed the National Physical Therapist Assistant Examination. The investigation determined that Mr. Hughes continued to work as a Physical Therapist Assistant License Applicant until September 28, 2006.

SECOND CAUSE FOR CITATION

2. Section 1399.12 of the California Code of Regulations

...A supervising physical therapist shall document receipt of the letter authorizing physical therapist assistant license applicant status and record the expiration date of such status in the employee record. A supervising physical therapist shall require the applicant to provide documentation of the license issued at the conclusion of the physical therapist assistant license applicant status. If the applicant fails to pass the licensing examination all privileges to work as a physical therapist assistant license applicant shall terminate. Authorizing the physical

therapist assistant license applicant to work after the conclusion of physical therapist assistant license applicant status constitutes unprofessional conduct.

The September 28, 2006 investigation, conducted by the Department of Investigation revealed you did not obtain, nor document, receipt of the letter stating that Emone Hughes had Physical Therapist Assistant License Applicant status and the expiration date of such status.

THIRD CAUSE FOR CITATION

3. Section 651 of the Business and Professions Code

(a) It is unlawful for any person licensed under this division or under any initiative act referred to in this division to disseminate or cause to be disseminated any form of public communication containing a false, fraudulent, misleading, or deceptive statement, claim, or image for the purpose of or likely to induce, directly or indirectly, the rendering of professional services or furnishing of products in connection with the professional practice or business for which he or she is licensed. A "public communication" as used in this section includes, but is not limited to, communication by means of mail, television, radio, motion picture, newspaper, book, list or directory of healing arts practitioners, Internet, or other electronic communication.

Based on information located on your website on July 25, 2006, Emone Hughes was identified as a Physical Therapy Assistant, when in fact Mr. Hughes was not licensed to practice as a Physical Therapist Assistant in the State of California.

This website contains misrepresentations of facts, as you are not licensed in the State of California as a Physical Therapist.

ORDER

Further, **you are ordered to pay a fine of \$ 1,000.00 (Causes 1 & 2 reduced to \$350.00 and Cause 3 \$300.00)** to the Physical Therapy Board of California within thirty (30) days of the date of issuance of the citation or assessment.

If you wish to contest the Informal Conference Decision, you may, within thirty (30) days of the date of issuance of the citation or assessment, request a formal administrative hearing before an administrative law judge under the Administrative Procedure Act.

FAILURE TO RETURN THE REQUEST FOR AN ADMINISTRATIVE HEARING WITHIN THE TIME INDICATED WILL CONSTITUTE A WAIVER OF YOUR RIGHT TO ADMINISTRATIVE CONTEST OR APPEAL THIS CITATION.

Administrative Fine

\$1000.00

FOR YOUR PROTECTION AND TO ASSURE PROPER CREDIT, PLEASE RETURN THE COPY OF THE CITATION AND NOTE THE CITATION NUMBER ON YOUR CHECK OR MONEY ORDER.

May 15, 2007

Date

Original Signed By:

STEVEN K. HARTZELL
EXECUTIVE OFFICER